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SENATE

{
REPORT
No. 1557

MICHAEL NOLAN (FORMERLY MICHAEL PASVANIS)

JUNE 13, 1960.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

R E P O R T

[To accompany S. 2974]

The Committee on the Judiciary, to which was referred the bill (S. 2974) for the relief of Michael Nolan (formerly Michael Pasvanis), having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Michael Nolan (formerly Michael Pasvanis). The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 22-year-old native and citizen of Greece, who was adopted on December 2, 1959, at Minneapolis, Minn., by citizens of the United States. He had made numerous previous entries into the United States as a seaman and presently resides in Minneapolis, with his adoptive parents. Information is to the effect that they are financially able to care for him.

A letter, with attached memorandum, dated April 5, 1960, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the bill reads as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., April 5, 1960.

A-10923756.

Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, D.C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2974) for the relief of Michael Nolan (formerly Michael Pasvanis), there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the St. Paul, Minn., office of this Service which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States as of the date of its enactment upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota for Greece.

Sincerely,

J. M. SWING, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE MICHAEL NOLAN
(FORMERLY MICHAEL PASVANIS), BENEFICIARY OF S. 2974

Michael Nolan (formerly Michael Pasvanis), a native and citizen of Greece, was born on July 23, 1937. He resides with his adoptive parents at Minneapolis, Minn. He is employed as a laborer in the produce department of National Tea Co., Edina, Minn., at a weekly salary of \$69. The beneficiary has a high school education. His only assets are his personal effects. He has never married. The true parents of the beneficiary and his brother live in Greece.

The beneficiary first entered the United States on May 15, 1955, as a crewman. He made 14 more trips to the United States as a crewman until March 2, 1957, when he deserted the ship. He was apprehended on June 3, 1958, and was prosecuted in the U.S. District Court, District of Connecticut, for having willfully remained in the United States in excess of the number of days allowed. On June 23, 1958, he was convicted of this offense and his sentence was suspended. On July 31, 1958, he was deported from the United States for having remained longer than permitted.

The beneficiary last entered the United States on August 2, 1959, as a crewman. He deserted the vessel and was apprehended on September 9, 1959. He was prosecuted in the U.S. District Court, District of Minnesota, for having entered the United States, after deportation, without the express authority of the Attorney General. On September 30, 1959, he pleaded guilty to the offense and no date has as yet been set for sentence.

Deportation proceedings were instituted against the beneficiary on September 10, 1959, on the ground that he

had remained in the United States for a longer time than permitted. At a hearing held on September 16, 1959, he was found deportable on that charge. He declined to apply for voluntary departure and was ordered deported.

The beneficiary was adopted by Mr. and Mrs. Glenn J. Nolan at Minneapolis, on December 2, 1959. His adoptive parents are natives and citizens of the United States. Mr. Nolan was born on July 13, 1912, and Mrs. Nolan on November 14, 1910. They were married on March 17, 1933. Their only other child is a married daughter. Mr. and Mrs. Nolan each has a high school education. Mr. Nolan is employed as a pressman at the St. Paul Dispatch, St. Paul, at a weekly salary of \$120. Mrs. Nolan is employed as a saleslady at a weekly salary of \$60. Mr. and Mrs. Nolan own their own home which is valued at \$18,000. It is encumbered in the amount of \$11,085. Their other assets consist of furniture, personal effects, and a 1957 Rambler station wagon. They owe debts in the amount of \$2,832.

Senator Hubert H. Humphrey, the author of the bill, has submitted the following information in connection with the case:

U.S. DISTRICT COURT,
OFFICE OF THE PROBATION OFFICER,
DISTRICT OF MINNESOTA,
Minneapolis, Minn., April 26, 1960.

Re Michael Pasvanis.

Hon. HUBERT HUMPHREY,
Senate Office Building, Washington, D.C.

MY DEAR SENATOR: On September 30, 1959, the above-named individual pleaded guilty in this court to an indictment charging him with being found in the United States after previous deportation. The Honorable Gunnar H. Nordbye requested this office to make an investigation of this matter and to submit a presentence report to the court.

On October 1, 1959, I interviewed this young man in the Hennepin County Jail in connection with my investigation. I have interviewed persons in said jail for a period of almost 35 years and as a result of my work I believe I have acquired a skill in analyzing human character. I was most favorable impressed by this young man and there is no doubt in my mind that this young man is devoid of any criminal tendencies. It is my candid opinion that this young man has all the attributes of becoming a good American citizen. I have become acquainted with his foster parents and believe them to be people of exceptionally fine character. I am sure that their interest is genuine and wholly altruistic. They will do all within their power to guide this young man in the path of righteousness and good citizenship.

In view of all the facts in this case I would like to urge you to do everything within your power to assist this young man in being permitted to remain within this country. It is extremely rare that a person of Greek origin ever appears in our court. I wish that other nationalities would emulate their example.

Most respectfully yours,

ERNEST J. MEILI,
Chief U.S. Probation Officer.

ST. PAUL DISPATCH,
ST. PAUL PIONEER PRESS,
April 28, 1960.

Senator HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HUMPHREY: I have been very pleased to learn that you sponsored S. 2974, legislation which would authorize entry to this country of Michael (Pasvanis) Nolan. Michael, as you well know, is the adopted son of Glenn J. Nolan, 8136 16th Avenue South, Minneapolis.

Glenn Nolan has been a valued employee of these newspapers for more than 13 years. He is a journeyman pressman who has proven himself to be a steady, conscientious, and highly capable workman. As a craftsman in the printing industry he can look forward with confidence to well paid employment in the future.

In addition to his excellent work record, Mr. Nolan has gained the respect and recognition of his fellow employees. They have evidenced their regard for him by this year electing him president of the Employees' Club. I know that he plans to carry on an active program which will be of interest and benefit to all employees. It seems to me that the kind of interest Mr. and Mrs. Nolan have taken in this foreign boy is the type of activity which will do more than any other single thing to develop a feeling of friendship between nations. Here we have a young person who has on more than one occasion demonstrated his sincere desire to be a citizen of these United States. When native citizens are willing to sponsor such an individual, it seems inconceivable that we should deny them the privilege.

Any assistance you can offer in the passage of the necessary legislation would be one further expression of your sincere interest in the desires of your constituents and the understanding you have of the need for closer ties between nations. I have no hesitancy in personally urging that you support the necessary legislation.

Sincerely yours,

EUGENE R. LAMBERT, *Personnel Director.*

LAW OFFICES,
ROBINS, DAVIS & LYONS,
Minneapolis, May 11, 1960.

Re Michael Nolan, S. 2974.
Hon. HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HUMPHREY: Following receipt of your letter of April 9, I have discussed this matter further with Mr. and Mrs. Glenn Nolan and have suggested that they write to you direct. I enclose herewith letter written by them. While their letter primarily expresses their feelings in connection with this matter rather than being particularly factual, I assume it is because they feel that you have all of the cold facts.

I recently read the article in the Saturday Evening Post, issue of May 7, 1960, by John Masters entitled "The Kind of American I

Am." I could not help but relate his early situation to that of Michael Nolan. Michael may never become a great novelist or otherwise achieve fame but there certainly is every reason to feel that he will become a good American citizen, if given that opportunity.

I do hope that the Senate Judiciary Committee will consider the pending bill favorably. We shall appreciate hearing from you as the situation develops.

With best wishes.

Sincerely yours,

SIDNEY S. FEINBERG.

MINNEAPOLIS, MINN., May 9, 1960.

Hon. HUBERT H. HUMPHREY,
U.S. Senate, Washington, D.C.

DEAR SENATOR HUMPHREY: We wish first to thank you for your efforts on behalf of our son Michael (formerly Michael Pasvanis) and we sincerely hope that you will continue to do everything you can so that he may remain in the United States.

We wish it were possible for you and every Member of Congress to become personally acquainted with our son Michael. We first met him on board his ship at Duluth, and we certainly had no idea that there was any thought in his mind of jumping ship. When we learned that he had been placed in custody by the immigration authorities and after visiting with him, we felt that we wanted to do everything possible on his behalf. We were convinced that he was a young man of excellent potential and that he would be a good American citizen if the opportunity were available to him. Although we are people of modest means, we decided to retain an attorney on his behalf, and you are familiar with the proceedings which have taken place since that time.

We knew at the time we adopted Michael that this would have no legal effect whatsoever on the question of whether he would be permitted to remain in the United States. We felt, at that time, that if it became necessary for Michael to leave the United States, we would continue our efforts to obtain his later reentry. Now that he has been living with us these last several months, we have become so much more attached to him and it would be a great personal loss to us if he were required to leave the United States.

We had only one child of our own (who incidentally was a classmate of your daughter Nancy at Tuttle School) and ever since her marriage we have regretted the fact that we had no other child. We now have a son, and we most sincerely hope and pray that he will be permitted to stay with us. We shall do our best to provide him with a good home and give him the guidance and assistance he should have. It is almost impossible to find the words with which to fully and adequately express our feelings. We feel that our life has been made complete with the addition of a son to our family and have become so closely attached to Michael in this comparatively short time he has been with us. He has continued to show the good qualities which we found in him in the beginning. He is a good, conscientious, hard-working young man, well liked by everyone with whom he comes in contact. We fully recognize the circumstances under which he is presently in these United States but sincerely hope and believe that he should be permitted to remain and become a good and useful citizen.

We earnestly hope that you will continue with your good efforts on behalf of our son and ourselves.

Sincerely yours,

LEOMA AND GLENN NOLAN.

ST. PAUL PRINTING PRESSMEN & ASSISTANTS' UNION No. 29,
St. Paul, Minn., May 12, 1960.

Senator HUBERT H. HUMPHREY,
Senatorial Building, Washington, D.C.

DEAR SENATOR: I have been given to understand that you have introduced a bill in the U.S. Senate on behalf of Michael Nolan, the young lad of foreign descent who has been adopted by Mr. and Mrs. Glenn Nolan, of Minneapolis, and whom they hope will be permitted to remain in this country.

Mr. Nolan has been a member of the St. Paul Printing Pressmen & Assistants' Union No. 29 for 17 years, and I can personally vouch for him as being of excellent character. The Nolans certainly have a great deal to offer in the way of a fine home, and the tender care that is necessary for the future of this lad.

My organization, and myself personally, urge that you do everything within your power in seeing that this bill is passed upon favorably.

Thanking you in advance, I am,

Very truly yours,

D. DONALD DALY, *Secretary-Treasurer.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2974) should be enacted.

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